

State of Arizona
Senate
Forty-ninth Legislature
First Regular Session
2009

Senate Engrossed
FILED
KEN BENNETT
SECRETARY OF STATE

CHAPTER 54

SENATE BILL 1097

AN ACT

AMENDING TITLE 36, CHAPTER 21.1, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 36-2227; RELATING TO EMERGENCY MEDICAL SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 36, chapter 21.1, article 1, Arizona Revised
3 Statutes, is amended by adding section 36-2227, to read:
4 36-2227. Informal interviews; request for information;
5 nondissemination; violation; classification
6 A. AT LEAST THIRTY DAYS BEFORE THE DATE OF AN INFORMAL INTERVIEW HELD
7 PURSUANT TO THIS ARTICLE OR ARTICLE 2 OF THIS CHAPTER, THE DEPARTMENT SHALL
8 NOTIFY A PERSON WHO IS UNDER INVESTIGATION, OR THAT PERSON'S DESIGNEE, THAT
9 THE PERSON OR DESIGNEE MAY SUBMIT A WRITTEN REQUEST WITH THE DEPARTMENT AT
10 LEAST TEN BUSINESS DAYS BEFORE THAT INTERVIEW THAT IT PROVIDE THE FOLLOWING
11 BEFORE THE INTERVIEW:
12 1. EXCEPT AS PROVIDED PURSUANT TO SECTION 41-1010, THE NAME OF THE
13 PERSON MAKING THE COMPLAINT.
14 2. EXCEPT AS PROHIBITED BY STATE AND FEDERAL PRIVACY OR
15 CONFIDENTIALITY LAWS, ANY DOCUMENTS RECEIVED BY THE DEPARTMENT, IN ANY FORMAT
16 OR MEDIUM, THAT ARE RELEVANT TO THE INVESTIGATION, INCLUDING:
17 (a) RECORDS OBTAINED BY THE DEPARTMENT FROM FIRST RESPONDERS,
18 EMERGENCY MEDICAL TECHNICIANS OR OTHER HEALTH CARE PROVIDERS.
19 (b) WITNESS STATEMENTS OR SUMMARIES.
20 (c) PATIENT RECORDS.
21 B. THE DEPARTMENT SHALL REDACT ANY INFORMATION PROVIDED PURSUANT TO
22 SUBSECTION A OF THIS SECTION NECESSARY TO PROTECT THE PERSONAL IDENTIFYING
23 INFORMATION OF A PATIENT.
24 C. A PERSON WHO RECEIVES INFORMATION PURSUANT TO SUBSECTION A OF THIS
25 SECTION MAY NOT COPY, SHARE OR OTHERWISE DISSEMINATE THAT INFORMATION EXCEPT
26 AS NEEDED TO PARTICIPATE IN THE INFORMAL INTERVIEW OR IN AN ADMINISTRATIVE
27 PROCEEDING OR APPEAL ARISING FROM THE INVESTIGATION. A PERSON WHO VIOLATES
28 THIS SUBSECTION IS GUILTY OF A CLASS 3 MISDEMEANOR.

APPROVED BY THE GOVERNOR JULY 10, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 10, 2009.